

Jeff Fisher Deposition Designations – Public

Designation List Report



Fisher, Jeff

2023-04-14

FTC Designations	00:16:22
Defense Designations	00:03:21
TOTAL RUN TIME	00:19:42

ID: JF1

PX3380-001

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DESIGNATION	SOURCE	DURATION	ID
12:04 - 12:07	Fisher, Jeff 2023-04-14 12:04 Q. Mr. Fisher, good morning. My name is 12:05 James Weingarten. I'm an attorney with the 12:06 Federal Trade Commission. I'm going to be asking 12:07 you some questions today.	00:00:10	JF1.1
12:11 - 12:17	Fisher, Jeff 2023-04-14 12:11 You understand now that you are under 12:12 oath as if you were testifying in a courtroom? 12:13 A. I do, yes. 12:14 Q. Okay. Is there any reason that you 12:15 would not be able to testify truthfully and 12:16 accurately today? 12:17 A. None whatsoever.	00:00:16	JF1.2
13:12 - 14:20	Fisher, Jeff 2023-04-14 13:12 Q. Okay. You joined Nvidia in 1994? 13:13 A. That's right. 13:14 Q. You are a senior vice president 13:15 currently? 13:16 A. I am. 13:17 Q. You're responsible for Nvidia's gaming 13:18 business unit? 13:19 A. I am. 13:20 Q. And is that business unit also referred 13:21 to as the GeForce unit or GeForce business? 13:22 A. You probably described it as good as 13:23 anybody has. There's no official name for the 13:24 business unit. 13:25 Q. Okay. And when did you become 14:01 responsible for the gaming business unit at 14:02 Nvidia? 14:03 A. Approximately 2005. 14:04 Q. And GeForce, G-E-F-O-R-C-E, is the 14:05 brand name for Nvidia's personal computer GPU 14:06 business; correct? 14:07 A. That's correct. 14:08 Q. And GPU stands for graphics processing 14:09 unit? 14:10 A. That's correct. 14:11 Q. And do your responsibilities include 14:12 responsibility for GeForce NOW?	00:01:46	JF1.3

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DESIGNATION	SOURCE	DURATION	ID
	14:13 A. It includes that, yes.		
	14:14 Q. And your responsibilities also include		
	14:15 overseeing the sale and business of Nvidia's GPUs		
	14:16 for use in the gaming industry?		
	14:17 A. Yeah, it does. Yeah.		
	14:18 Q. And GeForce NOW is Nvidia's cloud		
	14:19 gaming streaming service; correct?		
	14:20 A. That's correct.		
30:10 - 30:20	Fisher, Jeff 2023-04-14	00:00:38	JF1.4
	30:10 Q. Would you consider the Xbox Series X to		
	30:11 be a high-performance console device?		
	30:12 A. Well, I'm a little biased that way. I		
	30:13 think that our products are always better than		
	30:14 Xbox Series X, so I would -- not from my		
	30:15 perspective, but maybe from others. I don't know.		
	30:16 Q. Do you have a similar answer with		
	30:17 respect to the PlayStation 5?		
	30:18 A. It's a relative question. I mean, I		
	30:19 believe in -- PC gaming will always be better than		
	30:20 console, so . . .		
36:23 - 37:01	Fisher, Jeff 2023-04-14	00:00:12	JF1.5
	36:23 Has Nvidia collaborated in the past		
	36:24 with Activision to make titles in the Call of Duty		
	36:25 franchise performant on Nvidia GPUs?		
	37:01 A. We have, yes.		
40:18 - 40:23	Fisher, Jeff 2023-04-14	00:00:19	JF1.6
	40:18 Q. And thinking about the engagements with		
	40:19 Activision in regard to collaborating on		
	40:20 development of Activision titles, what's the		
	40:21 timeline for those collaborations from start to --		
	40:22 to launch of a game?		
	40:23 A. Generally --		
41:08 - 41:09	Fisher, Jeff 2023-04-14	00:00:01	JF1.62
	41:08 That's across the board. I don't		
	41:09 recall specifically to Activision.		
41:10 - 41:21	Fisher, Jeff 2023-04-14	00:00:32	JF1.7
	41:10 BY MR. WEINGARTEN:		
	41:11 Q. And putting aside the marketing		
	41:12 engagement length, how long would the typical		

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DESIGNATION	SOURCE	DURATION	ID
	41:13 engineering collaboration time be as you're trying		
	41:14 to collaborate on an Activision title?		
	41:15 A. Yeah, I -- I'm not differentiating		
	41:16 Activision titles because I don't know anything		
	41:17 specific to Activision titles that is different		
	41:18 than other titles, but engineering engagement		
	41:19 could start up to a year and a half in advance, a		
	41:20 year in advance. I think it's more typical of --		
	41:21 it would be six, seven months in advance.		
43:09 - 43:10	Fisher, Jeff 2023-04-14	00:00:04	JF1.8
	43:09 MR. WEINGARTEN: Let's please introduce		
	43:10 Plaintiff's Exhibit 3103.		
43:17 - 44:05	Fisher, Jeff 2023-04-14	00:00:37	JF1.9
	43:17 Do you remember talking to the CMA in		
	43:18 January of 2023?		
	43:19 A. I do, yes.		
	43:20 Q. And when you made statements to the		
	43:21 CMA, were you trying to be truthful and accurate		
	43:22 to the best of your ability?		
	43:23 A. Yes.		
	43:24 Q. When Nvidia or you provided information		
	43:25 to the CMA during that call, did you try to be		
	44:01 truthful and accurate to the best of your ability?		
	44:02 A. Yes.		
	44:03 Q. Do you think the information that		
	44:04 Nvidia provided was truthful and accurate?		
	44:05 A. I do.		
45:05 - 45:12	Fisher, Jeff 2023-04-14	00:00:22	JF1.10
	45:05 Would you agree that cloud gaming		
	45:06 extends video gaming to users with lesser		
	45:07 computing PCs?		
	45:08 A. I would, yes.		
	45:09 Q. Would you agree that cloud gaming		
	45:10 extends video gaming to users who have non-Windows		
	45:11 devices?		
	45:12 A. I would, yes.		
45:23 - 46:04	Fisher, Jeff 2023-04-14	00:00:20	JF1.68
	45:23 Q. Is that your view today; that GeForce		
	45:24 NOW is not cannibalistic to the high-end video		

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DESIGNATION	SOURCE	DURATION	ID
	45:25 game client business?		
	46:01 A. Yes.		
	46:02 Q. Is it your view today that cloud gaming		
	46:03 is expansive to the video game business?		
	46:04 A. Yes.		
46:10 - 46:23	Fisher, Jeff 2023-04-14	00:00:48	JF1.69
	46:10 Q. Would you agree that GeForce NOW's		
	46:11 customers are generally using lower end PCs and		
	46:12 not the expensive video-powered video gaming PCs?		
	46:13 A. Lower end and incompatible systems.		
	46:14 Q. And when you say "incompatible," you		
	46:15 mean, again, non-Windows-based PCs?		
	46:16 A. That's correct.		
	46:17 Q. So, for example, GeForce NOW customers		
	46:18 can play PC games -- high-end PC games on MAC		
	46:19 devices; right?		
	46:20 A. That's correct.		
	46:21 Q. And a GeForce NOW customer can play a		
	46:22 high-performing video game on Chromebook; right?		
	46:23 A. That's correct.		
47:10 - 47:19	Fisher, Jeff 2023-04-14	00:00:36	JF1.70
	47:10 Q. Would you agree that the vast majority		
	47:11 of GeForce NOW users are new to gaming or do not		
	47:12 have a high-end PC?		
	47:13 A. I -- I -- the latter, do not have a		
	47:14 high-end PC.		
	47:15 Q. Would you agree that many GeForce NOW		
	47:16 users are, in fact, new to gaming altogether?		
	47:17 A. I don't have any data to support that,		
	47:18 but I -- I do believe accessibility does bring new		
	47:19 gamers to high-end PC gaming, yes.		
47:22 - 47:24	Fisher, Jeff 2023-04-14	00:00:10	JF1.71
	47:22 Will you repeat the last of it, sir?		
	47:23 A. Yeah, I do believe that accessibility		
	47:24 does bring in new gamers to high-end PC gaming.		
48:01 - 48:06	Fisher, Jeff 2023-04-14	00:00:12	JF1.11
	48:01 Does cloud gaming improve accessibility		
	48:02 for new users to access and play high-end video		
	48:03 games.		

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DESIGNATION	SOURCE	DURATION	ID
	48:04 A. Yes.		
	48:05 Q. Does GeForce NOW do that, too?		
	48:06 A. Yes, that's my belief.		
48:11 - 48:21	Fisher, Jeff 2023-04-14	00:00:42	JF1.72
	48:11 Q. Do you believe that cloud gaming will		
	48:12 ultimately reduce costs for users to play high-end		
	48:13 games by moving the games to the cloud?		
	48:14 A. On the cost to the users, yes.		
	48:15 Q. I think we touched on this a little bit		
	48:16 before, but would you agree that Nvidia's cloud		
	48:17 gaming offering offers a superior gaming		
	48:18 experience to Xbox Series X?		
	48:19 A. I do, yes, similar --		
	48:20 Q. Do you believe it offers --		
	48:21 A. Similar to or --		
49:03 - 49:21	Fisher, Jeff 2023-04-14	00:01:12	JF1.12
	49:03 Q. Go ahead, sir.		
	49:04 A. Sorry. I would say similar to or		
	49:05 better than depending on what tier of service you		
	49:06 have on GeForce NOW.		
	49:07 Q. Would you agree that GeForce NOW offers		
	49:08 a higher quality gaming experience than		
	49:09 PlayStation 5 console?		
	49:10 A. Yeah, once again it depends on the tier		
	49:11 of service, but I believe we had the capability		
	49:12 of -- a tier of service that is better, yes.		
	49:13 Q. And do you believe that GeForce NOW		
	49:14 offers a tier of service to users that offers a		
	49:15 better quality gaming experience than a Nintendo		
	49:16 Switch can offer?		
	49:17 A. Yes. I mean, it's a much more		
	49:18 challenging comparison. The Switch features		
	49:19 mobility. It has -- it goes after a different		
	49:20 customer base, but, I mean, in its purest form in		
	49:21 terms of the game experience, yes.		
51:13 - 51:20	Fisher, Jeff 2023-04-14	00:00:32	JF1.14
	51:13 Q. Would you agree that the quality of		
	51:14 cloud gaming already matches or exceeds the		
	51:15 quality of local gaming?		
	51:16 A. The -- the -- it -- yes, it can for		

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DESIGNATION	SOURCE	DURATION	ID
	51:17 sure.		
	51:18 Q. Would you agree that the quality of		
	51:19 cloud gaming is only going to improve with time?		
	51:20 A. Yes. Yes, I would agree with that.		
54:13 - 54:16	Fisher, Jeff 2023-04-14	00:00:12	JF1.15
	54:13 Q. Well, do you view xCloud as a		
	54:14 competitor to GeForce NOW for attracting gamers		
	54:15 who want to game using cloud streaming?		
	54:16 A. Yes.		
55:06 - 55:20	Fisher, Jeff 2023-04-14	00:00:48	JF1.16
	55:06 Q. Okay. GeForce NOW offers cloud gaming		
	55:07 streaming independent of any subscription service;		
	55:08 correct?		
	55:09 A. It's purely a cloud gaming service. It		
	55:10 doesn't have any other products or features tied		
	55:11 to it outside of cloud gaming.		
	55:12 Q. Does GeForce NOW compete with Amazon		
	55:13 Luna for users who want to play games over the		
	55:14 cloud?		
	55:15 A. I would say yes.		
	55:16 Q. Does GeForce NOW compete with		
	55:17 PlayStation's cloud offering for users who wanted		
	55:18 to play games over the cloud?		
	55:19 A. In the same sense that we do xCloud,		
	55:20 yes, we do.		
56:22 - 56:25	Fisher, Jeff 2023-04-14	00:00:14	JF1.17
	56:22 Would you agree it's inevitable that		
	56:23 gamers who want to play high-end games will move		
	56:24 their play into the cloud because of the economics		
	56:25 to them of playing over the cloud?		
57:06 - 57:10	Fisher, Jeff 2023-04-14	00:00:21	JF1.18
	57:06 A. I believe it's		
	57:07 inevitable. Over the course of time more and more		
	57:08 gaming will be resident in the cloud, and		
	57:09 economics is one part of it, but it may not be the		
	57:10 only motivation.		
58:19 - 59:08	Fisher, Jeff 2023-04-14	00:00:36	JF1.20
	58:19 Q. Okay. Would you agree that cloud		
	58:20 gaming is not a hypothetical and speculative		

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DESIGNATION	SOURCE	DURATION	ID
	58:21 business that is unlikely to succeed?		
	58:22 A. I -- I don't -- let's see. Can you --		
	58:23 I want to make sure I answer that right.		
	58:24 Q. Okay.		
	58:25 A. I believe -- I believe it is not		
	59:01 speculative, and I believe it will ultimately be		
	59:02 successful, yes.		
	59:03 Q. Thank you.		
	59:04 Do you agree that the key impediment to		
	59:05 competition and growth in cloud gaming is the		
	59:06 availability of content for cloud games to stream?		
	59:07 A. I think that's a very important		
	59:08 component, yes.		
59:25 - 60:10	Fisher, Jeff 2023-04-14	00:00:33	JF1.21
	59:25 BY MR. WEINGARTEN:		
	60:01 Q. Do you think that Activision Blizzard		
	60:02 games -- I'm using the whole company there --		
	60:03 Activision Blizzard, Inc. games are important		
	60:04 games to be able to offer on cloud streaming to		
	60:05 attract gamers?		
	60:06 A. I do believe they're important games to		
	60:07 offer, yes. They are important games within the		
	60:08 PC gaming ecosystem and on our -- on our		
	60:09 GeForce-direct clients and, therefore, important		
	60:10 in a cloud gaming service.		
63:15 - 63:17	Fisher, Jeff 2023-04-14	00:00:05	JF1.22
	63:15 Okay. Would you agree that it's just		
	63:16 no question that cloud gaming has a profitable		
	63:17 future?		
63:19 - 63:20	Fisher, Jeff 2023-04-14	00:00:06	JF1.23
	63:19 THE WITNESS: It's my strong belief		
	63:20 that cloud gaming has a profitable future, yes.		
76:14 - 76:21	Fisher, Jeff 2023-04-14	00:00:25	JF1.25
	76:14 Q. And in negotiating co-marketing and		
	76:15 bundling with Activision, would Nvidia also		
	76:16 discuss bringing Activision games to GeForce NOW?		
	76:17 A. Yes.		
	76:18 Q. Okay. During the GeForce NOW beta		
	76:19 period, were Activision games available on GeForce		

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DESIGNATION	SOURCE	DURATION	ID
	76:20 NOW?		
	76:21 A. Yes, some Activision games.		
89:17 - 89:20	Fisher, Jeff 2023-04-14	00:00:12	JF1.40
	89:17 Microsoft announced that it would be		
	89:18 acquiring Activision in January 2022; correct?		
	89:19 A. I -- around -- yeah. I don't recall		
	89:20 exactly the date, but, yes.		
104:03 - 104:03	Fisher, Jeff 2023-04-14	00:00:04	JF1.41
	104:03 Prior to executing GeForce NOW listing		
104:04 - 104:04	Fisher, Jeff 2023-04-14	00:00:03	JF1.64
	104:04 agreement with Microsoft [REDACTED]		
104:05 - 104:11	Fisher, Jeff 2023-04-14	00:00:23	JF1.65
	104:05 with Microsoft, Nvidia had expressed concerns		
	104:06 about Microsoft's acquisition of Activision;		
	104:07 correct?		
	104:08 A. As it relates to cloud gaming, yes.		
	104:09 Q. Okay. And as part of resolving		
	104:10 Nvidia's concerns about the impact of the		
	104:11 Activision acquisition on cloud gaming, Nvidia		
104:12 - 104:13	Fisher, Jeff 2023-04-14	00:00:04	JF1.66
	104:12 [REDACTED]		
	104:13 [REDACTED]		
104:15 - 104:25	Fisher, Jeff 2023-04-14	00:00:32	JF1.42
	104:15 THE WITNESS: That's correct.		
	104:16 BY MR. WEINGARTEN:		
	104:17 Q. [REDACTED]		
	104:18 [REDACTED]		
	104:19 A. [REDACTED]		
	104:20 [REDACTED]		
	104:21 Q. [REDACTED]		
	104:22 [REDACTED]		
	104:23 A. [REDACTED]		
	104:24 [REDACTED]		
	104:25 [REDACTED]		
105:09 - 105:19	Fisher, Jeff 2023-04-14	00:00:43	JF1.43
	105:09 [REDACTED]		
	105:10 [REDACTED]		
	105:11 [REDACTED]		

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DESIGNATION	SOURCE	DURATION	ID
	105:12 A. [REDACTED]		
	105:13 [REDACTED]		
	105:14 [REDACTED]		
	105:15 [REDACTED]		
	105:16 [REDACTED]		
	105:17 [REDACTED]		
	105:18 [REDACTED]		
	105:19 [REDACTED]		
109:16 - 109:25	Fisher, Jeff 2023-04-14	00:00:26	JF1.44
	109:16 Q. [REDACTED]		
	109:17 [REDACTED]		
	109:18 [REDACTED]		
	109:19 A. [REDACTED]		
	109:20 Q. [REDACTED]		
	109:21 [REDACTED]		
	109:22 [REDACTED]		
	109:23 A. [REDACTED]		
	109:24 [REDACTED]		
	109:25 [REDACTED]		
110:16 - 111:08	Fisher, Jeff 2023-04-14	00:01:06	JF1.45
	110:16 [REDACTED]		
	110:17 [REDACTED]		
	110:18 [REDACTED]		
	110:19 [REDACTED]		
	110:20 A. [REDACTED]		
	110:21 [REDACTED]		
	110:22 Q. [REDACTED]		
	110:23 [REDACTED]		
	110:24 A. [REDACTED]		
	110:25 [REDACTED]		
	111:01 [REDACTED]		
	111:02 [REDACTED]		
	111:03 [REDACTED]		
	111:04 [REDACTED]		
	111:05 [REDACTED]		
	111:06 [REDACTED]		
	111:07 [REDACTED]		
	111:08 [REDACTED]		
120:04 - 120:05	Fisher, Jeff 2023-04-14	00:00:06	JF1.47
	120:04 MS. ARNOLD: Okay. If we could pull up		

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DESIGNATION	SOURCE	DURATION	ID
	120:05 RX0299.		
120:21 - 120:23	Fisher, Jeff 2023-04-14	00:00:08	JF1.48
	120:21 Q. And what is it?		
	120:22 A. This is a release related to the		
	120:23 agreement we signed with Microsoft.		
121:02 - 121:11	Fisher, Jeff 2023-04-14	00:00:28	JF1.49
	121:02 Q. The first paragraph of this document		
	121:03 states, On Tuesday, Microsoft and Nvidia announced		
	121:04 the companies have agreed to a ten-year		
	121:05 partnership to bring Xbox PC gamers the Nvidia		
	121:06 GeForce NOW cloud gaming service which has more		
	121:07 than 25 million members in over 100 countries.		
	121:08 Was that part of the press release that		
	121:09 you agreed to issue after the agreement was		
	121:10 signed?		
	121:11 A. Yes. And, you know, I'm sorry to be		
122:14 - 123:06	Fisher, Jeff 2023-04-14	00:00:52	JF1.52
	122:14 Q. And in this instance, Nvidia and		
	122:15 Microsoft agreed to a ten-year partnership; is		
	122:16 that true?		
	122:17 A. That's correct.		
	122:18 Q. The -- the press release mentioned that		
	122:19 Xbox PC games would now be available to more than		
	122:20 25 million members in over 100 countries.		
	122:21 Is that 25 million referring to the		
	122:22 number of members or participants in the Nvidia		
	122:23 GeForce NOW streaming service?		
	122:24 A. Yes. We've had -- we've had 25 million		
	122:25 people over the course of time sign up and use		
	123:01 GeForce NOW, and we refer to that number as the		
	123:02 number of members.		
	123:03 Q. And as a result of this agreement --		
	123:04 the listing agreement, Xbox PC games would now be		
	123:05 available to those users; is that correct?		
	123:06 A. That's correct.		
125:13 - 125:24	Fisher, Jeff 2023-04-14	00:00:29	JF1.53
	125:13 Q. The next paragraph states, The		
	125:14 partnership delivers increased choice to gamers		
	125:15 and resolves Nvidia's concerns with Microsoft's		

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DESIGNATION	SOURCE	DURATION	ID
	125:16 acquisition of Activision Blizzard. Nvidia, 125:17 therefore, is offering its full support for 125:18 regulatory approval of the acquisition. 125:19 Is that still a true statement for 125:20 Nvidia sitting here today? 125:21 A. It is. 125:22 Q. Do you believe that the 125:23 Microsoft-Activision Blizzard deal is good for 125:24 gamers?		
126:01 - 126:07	Fisher, Jeff 2023-04-14	00:00:25	JF1.54
	126:01 THE WITNESS: I -- I'm not -- do I 126:02 believe that Microsoft-Activision is good for 126:03 gamers? I -- I think it is. I don't -- I don't 126:04 think it's -- I think it's good for the industry, 126:05 and generally speaking I have no issue with the 126:06 Microsoft Activision -- the Microsoft acquisition 126:07 of Activision.		
133:22 - 134:04	Fisher, Jeff 2023-04-14	00:00:18	JF1.55
	133:22 Q. I believe you testified earlier in the 133:23 deposition that it is your view that cloud gaming 133:24 is still in its early days; is that correct? 133:25 A. Yes. 134:01 Q. And that cloud gaming is a very small 134:02 part of the market at this point in time; is that 134:03 your view? 134:04 A. It is.		
139:11 - 139:14	Fisher, Jeff 2023-04-14	00:00:11	JF1.56
	139:11 Q. But just to be clear for the record, 139:12 there were other companies, other publishers that 139:13 did ask to have their content removed from GeForce 139:14 NOW around that time period; is that correct?		
139:17 - 139:18	Fisher, Jeff 2023-04-14	00:00:06	JF1.57
	139:17 THE WITNESS: It -- it was not just 139:18 Microsoft -- or not just Microsoft and ABK.		
139:20 - 139:25	Fisher, Jeff 2023-04-14	00:00:17	JF1.58
	139:20 Q. Okay. Other companies included -- do 139:21 you recall Rockstar Games asking for their content 139:22 to be removed around that time? 139:23 A. I recall Grand Theft Auto may have been		

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	139:24	in one of the games. I don't recall all -- all	
	139:25	the games.	

FTC Designations	00:16:22
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TOTAL RUN TIME	00:19:42